

Response Under 37 C.F.R. §1.116

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Serial No.: 10/732,853

Confirmation No.: 8898

Filed: 10 December 2003

For: METHOD AND MATERIALS FOR PATTERNING OF AN AMORPHOUS, NON-POLYMERIC, ORGANIC MATRIX WITH ELECTRICALLY ACTIVE MATERIAL DISPOSED THEREIN

Remarks

No claims having been added, amended, or canceled, the pending claims are claims 1-4, 6-18, and 20-28. Reconsideration and withdrawal of the rejections are respectfully requested.

Allowed Claims

Applicants thank the Examiner for noting in the Final Rejection mailed 23 August 2005 that claims 1-4, 6-18, and 20-25 have been allowed. Applicants again wish to bring an apparent typographical error to the Examiner's attention, wherein on page 3, paragraphs 4 and 5, the Examiner lists claim 5 as being allowed. However, claim 5 has been canceled. Appropriate correction is respectfully requested in the next Official Communication.

Obviousness-Type Double Patenting Rejection

Claims 26-28 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-17 of U.S. Patent No. 6,844,128. Applicants disagree with the Examiner's comments in the Advisory Action mailed 3 October 2005, and respectfully submit that the Examiner has failed to present a *prima facie* case of obviousness-type double patenting for at least the reasons presented in the Response submitted 19 September 2005.

However, in the interest of expediting the prosecution of the present application, submitted herewith is a Terminal Disclaimer which, Applicants submit, is in compliance with 37 CFR 1.321(c) and thereby obviates the Examiner's double patenting rejection of pending claims 26-28.

Reconsideration and withdrawal of the obviousness-type double patenting rejection is respectfully requested.

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Summary

It is respectfully submitted that all the pending are in condition for allowance and notification to that effect is respectfully requested. The Examiner is invited to contact Applicants' Representatives, at the below-listed telephone number, if it is believed that prosecution of this application may be assisted thereby.

Respectfully submitted by
Mueeting, Raasch & Gebhardt, P.A.
P.O. Box 581415
Minneapolis, MN 55458-1415
Phone: (612) 305-1220
Facsimile: (612) 305-1228

October 13, 2005
Date

By: [Signature]
Loren D. Albin
Reg. No. 37,763
Direct Dial (612) 305-1225

CERTIFICATE UNDER 37 CFR §1.8:

The undersigned hereby certifies that the Transmittal Letter and the paper(s), as described hereinabove, are being transmitted by facsimile in accordance with 37 CFR §1.6(d) to the Patent and Trademark Office, addressed to Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 13th day of October, 2005, at 4:48 p.m. (Central Time).

By: [Signature]Name: Rachel Galliani - Mueeting